

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BARBARA J. AUSTIN, )  
                        )  
Plaintiff,            )  
                        )  
vs.                    )           CIVIL ACTION NO. 96-0626-P-M  
                        )  
JO ANNE B. BARNHART, Commissioner )  
of Social Security,     )  
                        )  
Defendant.            )

ORDER ADOPTING THE REPORT AND  
RECOMMENDATION OF THE MAGISTRATE JUDGE

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made pursuant to 28 U.S.C. § 636(b)(1)(B) and dated August 24, 2005 (doc.34), is hereby ADOPTED as the opinion of this court.

Accordingly, it is ORDERED that plaintiff's Petition For Authorization of Attorney Fees under 42 U.S.C. § 406(b), be and is hereby GRANTED, and that plaintiff's counsel, Rose A. McPhillips, be awarded an attorney's fee in the amount of \$4,792.00 pursuant to 42 U.S.C. § 406(b), for services on plaintiff's behalf in this court. Gisbrecht v. Barnhart, 535 U.S. 789 (2002).

DONE this 21<sup>st</sup> day of October, 2005.

S/Virgil Pittman  
SENIOR UNITED STATES DISTRICT JUDGE